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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,198	12/29/2000	Leo A. Haydt III	1174/109	8128

25297 7590 01/09/2006

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EXAMINER

REAGAN, JAMES A

ART UNIT PAPER NUMBER

3621

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/752,198

Applicant(s)

HAYDT, LEO A.

Examiner

James A. Reagan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-28,30-35 and 37-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-28,30-35 and 37-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in response to the amendment filed on 09 November 2005.
2. Claims 1, 23, 30, 37, and 46-49 have been amended.
3. Claims 50 and 51 have been added.
4. Claims 1-5, 7-28, 30-35, and 37-51 have been examined.

## **RESPONSE TO ARGUMENTS**

5. Applicant's arguments received on 09 November 2005 have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-15, 20, 21, 23-28, 37-39, 41, 43, 44, and 46-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Labarthe (US 5,036,984), in view of Verschuur (US 6,168,080 B1), and further in view of Reiter (US 5,819,241 A).

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Claims 1, 23, 37, and 46-51:**

Labarthe, as shown, discloses the following limitations:

*(a) providing a closed face package including a document inserted within the package, wherein the package has a window permitting a portion of the document to be read from a location outside of the package (see at least column 1, lines 10-22; column 7, lines 30-36 and lines 63-67);*

*(b) providing a data file to access account information stored therein, the data file corresponding to printed package data on the package, the data file further corresponding to printed document data on the inserted document which pertains to material and/or information contained inside the closed face package, and the data file*

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*further corresponding to address data printed on the package (see at least column 7, lines 61-67);*

*(c) using a first reading device to optically read the printed on the package (see at least column 7, lines 30-36 and lines 63-67);*

With regard to the limitation of *(d) using a second reading device to optically read the printed document data on the inserted document and appearing through the window*, see at least column 7, lines 30-36 and lines 63-67. Labarthe does not specifically disclose a second reading device that optically reads the document contained within the envelope. However, Verschuur discloses a system that scans the exterior of envelopes and compares address information searching for a mismatch along with a system which scans the interior contents of a envelope to detect variations in the capacitance of a specialized conducted ink contained on the document within the envelope. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the optical envelope processing systems of Labarthe with the envelope content accessing system of Verschuur because this would ensure the envelopes were properly dispatched to their recipients by reducing the error rate inherent to the sorting and processing of large numbers of mail pieces.

With regard to the amended limitation of *(b)*, Labarthe and Verschuur do not specifically disclose that a data file containing account information is accessed and compared with information on and within the envelope. Reiter, however, in at least column 2, line 29-40, Reiter discloses that account files are maintained and may be printed on a mailpiece for OCR detection. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the optical envelope processing systems of Labarthe and the envelope content accessing system of Verschuur with Reiter's disclosure of maintaining an account file because this would speed the delivery process, etc. (Reiter: column 2, lines 59+).

With regard to the limitations of:

*(e) reading the data file to the access account information stored therein;*

*(f) comparing at least a portion of the accessed account information with the package data and comparing at least a portion of the accessed account information with the document data to determine whether a matching association exists between the package data and the document data;*

*(g) if the matching association is determined to exist, allowing the package to be further processed; and*

*(h) if the matching association is determined not to exist, preventing the package from being further processed;*

Labarthe, in Figure 1 and column 8, line 63 to column 9, line 5, teaches ensuring that envelopes are correctly processed to avoid mistakes that would not allow checks to be processed through the clearing organizations based on the indicia located on the check's envelope. Labarthe also discloses updating payee's address information, essentially disclosing an account that stores payee address information that can be accessed and checked to ensure that a match exists between the indicia on the envelope and the account on file. It would have been obvious to one of ordinary skill in the art at the time of the invention to make certain that envelopes are being processed correctly and sent to the intended recipients and preventing envelopes from being sent to the wrong recipients because this increases the efficiency of the system and certifies that recipients receive the checks on time and in good order.

Labarthe, in Figure 1 and column 8, line 63 to column 9, line 5, teaches ensuring that envelopes are correctly processed to avoid mistakes that would not allow checks to be processed through the clearing organizations based on the indicia located on the check's envelope. Labarthe also discloses optical recognition of addresses on the outside of an envelope as well as through the envelope's window (see at least column 7, lines 61-67). Moreover, Labarthe discloses updating payee's address information, essentially disclosing an account that stores payee address information that can be accessed and checked to ensure that a match exists between the indicia on the envelope and the account on file. Verschuur, in at least column 3, lines 6-29, discloses reading the encoded information contained within an envelope to ensure it is

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being sent to the proper recipient, as well as identifying the intended recipient to print the proper address onto the exterior of the envelope, clearly indicating a comparison step. Verschuur also discloses a comparison step in at least column 8, lines 19-27. It would be a simple and functionally equivalent step to compare a printed address with a stored address to ensure proper delivery of a mailpiece. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the optical recognition system of Labarthe with the comparison step of Verschuur because this would ensure that postage mailing pieces are delivered properly.

The limitations contained within claims 23, 37, and 46-51 are essentially equivalent to those of claim 1, and are therefore rejected on the same grounds by means of the corresponding citations.

**Claim 2:**

With regard to the limitation of *the package is an envelope*, see at least column 1, lines 10-22; column 7, lines 30-36 and lines 63-67.

**Claims 3 and 4:**

With regard to the limitations of:

- *the package data is printed on a first side of the package and the window is located on the first side.*
- *the package data is printed on a first side of the package and the window is located on an opposing second side of the package;*

See at least column 7, lines 30-36 and lines 63-67.

**Claims 5, 28, and 38:**

The combination of Labarthe/Verschuur/Reiter discloses the dual optical and machine reading device as shown above. Labarthe/Verschuur/Reiter do not specifically disclose *the first reading device reads the package data in a generally linear first direction and the second reading*

*device reads the document data in a generally linear second direction generally transverse to the first direction.* However, Verschuur shows the capacitive sensing device located directly orthogonal to the direction of movement relative to the envelope (Figures 1 and 2), essentially teaching an optimized detecting angle of 90 degrees. Consequently, the Examiner takes **Official Notice** that it would be obvious to one of ordinary skill in the art at the time of the invention to position the two reading devices in an orientation that would maximize the effectiveness of reading devices and minimize the chances of error due to improper reading of the elements, thus reducing the rate of inaccurately scanned envelopes.

**Claims 7-14:**

Labarthe discloses bar codes readers (see at least column 7, lines 30-36 and lines 63-67), as well as variable methods of encoding information onto the envelope (column 7, lines 54-57). Labarthe does not specifically disclose:

- *at least one of the reading devices is adapted to read data in Data Matrix format.*
- *at least one of the reading devices is adapted to read data in Data Glyph format.*
- *at least one of the reading devices is adapted to read data in Bar Code 39 format.*
- *at least one of the reading devices is adapted to read data in OCR format.*
- *at least one of the reading devices is adapted to read data in Post Net barcode format.*
- *at least one of the reading devices is adapted to read data in Planet Code format.*
- *at least one of the reading devices is adapted to read data in Interleaved 2 of 5 format.*
- *at least one of the reading devices is adapted to read data in PDF 417 format.*

Accordingly, the Examiner takes **Official Notice** that it would be obvious to one of ordinary skill in the art at the time of the invention to program the reading devices to recognize and decode a plurality of formats. This provide a universal reading instrument that can be utilized



in conjunction with various platforms, operating systems, and software applications as well as different regions and countries.

**Claim 15:**

With regard to the limitation of *the stored account information includes mail address information*, Labarthe, in column 8, line 63 to column 9, line 5, discloses updating payee's address information, essentially disclosing an account that stores payee address information that can be accessed and checked to ensure that a match exists between the indicia on the envelope and the account on file.

**Claims 20 and 43:**

Labarthe discloses bar codes readers (see at least column 7, lines 30-36 and lines 63-67), as well as variable methods of encoding information onto the envelope (column 7, lines 54-57). Labarthe does not specifically disclose *reading a control code printed on the document and using the control code to locate the data file*. Verschuur, however, in column 3, lines 6-29, discloses reading the encoded information contained within an envelope to ensure it is being sent to the proper recipient, as well as identifying the intended recipient to print the proper address onto the exterior of the envelope. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the encoding methods of Labarthe with Verschuur's use of matching encoded information within an envelope to an address maintained on file that is to be printed onto the envelope because this reduces the extent that mail pieces are improperly addressed.

**Claims 21 and 44:**

Labarthe discloses bar codes readers (see at least column 7, lines 30-36 and lines 63-67), as well as variable methods of encoding information onto the envelope (column 7, lines 54-57). Labarthe does not specifically disclose *acquiring data representing address information from*

*the stored account information, sending printing instructions to a printer, and causing the printer to print the address information on the closed face package.* Verschuur, however, in column 3, lines 6-29, discloses reading the encoded information contained within an envelope to ensure it is being sent to the proper recipient, as well as identifying the intended recipient to print the proper address onto the exterior of the envelope. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the encoding methods of Labarthe with Verschuur's use of matching encoded information within an envelope to an address maintained on file that is to be printed onto the envelope because this reduces the extent that mail pieces are improperly addressed.

**Claim 24:**

With regard to the limitation of *the optical reader is operatively disposed downstream of a package printer*, Labarthe discloses encoded indicia which is read from an envelope by a machine, inherently disclosing that the reading device is downstream from the printing device. Labarthe does not specifically disclose a printing device located downstream from the scanning device. Verschuur, however, in column 3, lines 6-29, discloses reading the encoded information contained within an envelope to ensure it is being sent to the proper recipient, as well as identifying the intended recipient to print the proper address onto the exterior of the envelope. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the reading methods of Labarthe with Verschuur's use of printing address information after the reading mechanism because this reduces the extent that mail pieces are improperly addressed by checking each envelope before it is sent out.

**Claim 25:**

With regard to the limitation of *first and second optical readers, the first optical reader adapted to read the package data and to send the package data to the electronic processing apparatus, and the second optical reader adapted to read the document data and to send the*

*document data to the electronic processing apparatus, see at least Labarthe column 7, lines 30-36 and lines 63-67. Labarthe does not specifically disclose a second reading device that reads the document contained within the envelope. However, Verschuur discloses a system that scans the exterior of envelopes and compares address information searching for a mismatch along with a system which scans the interior contents of a envelope to detect variations in the capacitance of a specialized conducted ink contained on the document within the envelope. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the envelope processing systems of Labarthe with the envelope content accessing system of Verschuur because this would ensure the envelopes were properly dispatched to their recipients by reducing the error rate inherent to the sorting and processing of large numbers of mail pieces.*

**Claims 26, 27:**

With regard to the limitations of:

- *the first optical reader is adapted to perform reading operations on a first side of the closed face package and the second optical reader is adapted to perform reading operations on the first side.*
- *the first optical reader is adapted to perform reading operations on a first side of the closed face package and the second optical reader is adapted to perform reading operations on a second side of the closed face package.*

See at least column 7, lines 30-36 and lines 63-67.

8. Claims 16-18 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Labarthe/Verschuur/Reiter in view of Robinson (US 6,073,060 A).

**Claims 16 and 39:**

With regard to the limitation of *indicating an error condition if the matching association is determined not to exist*. Labarthe, in Figure 1 and column 8, line 63 to column 9, line 5, teaches

ensuring that envelopes are correctly processed to avoid mistakes that would not allow checks to be processed through the clearing organizations based on the indicia located on the check's envelope.

Labarthe does not specifically disclose *indicating and error condition*. Robinson, however, in column 5, lines 44-49 discloses displaying an error message. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the package sorting and reading device of Labarthe/Verschuur as shown above with the error message display of Robinson because this would provide an indication to a member of staff that a mishap has occurred on the mail sorting device, prompting the individual to take proper corrective action.

**Claims 17 and 40:**

The combination of Labarthe/Verschuur/Reiter discloses the package and envelope reading device as shown above. Labarthe/Verschuur/Reiter do not specifically disclose *displaying a human-readable error message*. Robinson, however, in column 5, lines 44-49 discloses displaying an error message. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the package sorting and reading device of Labarthe/Verschuur/Reiter as shown above with the error message display of Robinson because this would provide an indication to a member of staff that a mishap has occurred on the mail sorting device, prompting the individual to take proper corrective action.

**Claims 18 and 41:**

The combination of Labarthe/Verschuur/Reiter/Robinson discloses the error condition display as shown above. Labarthe/Verschuur/Reiter/Robinson do not specifically disclose *updating a database file with a print failure code*. However, Labarthe, in Figure 1 and column 8, line 63 to column 9, line 5, teaches ensuring that envelopes are correctly processed to avoid mistakes that would not allow checks to be processed through the clearing organizations based on the indicia located on the check's envelope. Labarthe also discloses updating payee's address

information. It would have been obvious to one of ordinary skill in the art at the time of the invention to update the addressee database with an error code after a error has been detected because this flags an addressee account indicating that current address information is required, thereby increasing the efficiency of the system and certifying that recipients receive the checks on time and in good order.

9. Claims 19, 22, 42, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Labarthe/Verschuur/Reiter in view of Eisener et al. (US 4,858,907).

**Claims 19 and 42:**

The combination of Labarthe/Verschuur/Reiter discloses the package and envelope reading device as shown above. Labarthe/Verschuur/Reiter do not specifically disclose *rendering inoperable a mail processing machine by which the package is being processed*. Eisener, however, in column 9, lines 33-39 and column 10, lines 18-25, discloses halting the mail sorting system upon detection of an error. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the package sorting and reading device of Labarthe/Verschuur/Reiter as shown above with the shut down mechanism of Eisener because this would prevent improperly addressed mail pieces from being sent out to the addressee.

**Claims 22 and 45:**

The combination of Labarthe/Verschuur/Reiter discloses the package and envelope reading device as shown above. Labarthe/Verschuur/Reiter do not specifically disclose *determining at a predetermined point in time whether the printer has performed a printing operation on the closed face package, and causing the closed face package to be rejected if the printer has not performed the printing operation at the predetermined point in time*. Eisener, however, in column 9, lines 33-39 and column 10, lines 18-25, discloses halting the mail sorting system upon detection of an accumulated number of interrupts. Although Eisener does not

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specifically disclose rejecting a package based on the error and subsequent cessation of sorting and printing activities, it is obvious that corrective action would have to be taken in order to ensure that each package was properly addressed. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the package sorting and reading device of Labarthe/Verschuur/Reiter as shown above with the shut down mechanism of Eisener because this would prevent improperly addressed mail pieces from being sent out to the addressee.

10. Claims 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Labarthe/Verschuur/Reiter in view of Wells et al. (US 2001/0032881 A1).

**Claim 30:**

The combination of Labarthe/Verschuur/Reiter as shown in the rejection of claim 1 above discloses the package and envelope reading device as claimed, essentially disclosing the following limitations:

- (a) a mailpiece processing apparatus including a mail inserting device for inserting a document into a closed face package and a package printer for printing package data onto the closed face package;*
- (b) an optical reader adapted to optically read printed package data on the closed face package, the closed face package containing the document inserted by the mail inserting device and including a window through which the document is visible, and to optically read printed document data on the document and visible through the window of the closed face package, wherein the optical reader is adapted to send the package data and the document data to an electronic processing apparatus;*
- (c) a storage medium containing a data file, the data file including account information specific to a mail recipient and corresponding to the package data and the document data; and*

*(d) an electronic processing apparatus adapted to control operations of the mailpiece processing apparatus, to access the data file and retrieve data forming a part of the account information, and to compare at least a portion of the data forming a part of the account information with the package data and to compare at least a portion of the data forming a part of the account information with the document data to determine whether a the package data and the matching association exists between document data.*

Labarthe/Verschuur/Reiter do not specifically disclose an insertion device. Wells, however, in paragraph 0023 discloses an insertion device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the package sorting and reading device of Labarthe/Verschuur as shown above with the insertion device of Wells because it would provide a seamless and efficient envelope and package reading, sorting, stuffing, and mailing station.

**Claim 31:**

The combination of Labarthe/Verschuur/Reiter as shown in the rejection of claim 24 above discloses the package and envelope reading device as claimed, essentially disclosing the limitations of claim 31.

**Claim 32:**

The combination of Labarthe/Verschuur/Reiter as shown in the rejection of claim 25 above discloses the package and envelope reading device as claimed, essentially disclosing the limitations of claim 32.

**Claims 33 and 34:**

The combination of Labarthe/Verschuur/Reiter as shown in the rejection of claim 26 and 27 above discloses the package and envelope reading device as claimed, essentially disclosing the limitations of claims 33 and 34.

**Claim 35:**

The combination of Labarthe/Verschuur/Reiter as shown in the rejection of claim 5 above discloses the package and envelope reading device as claimed, essentially disclosing the limitations of claim 35.

**Conclusion**

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
12. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**571-273-8300** [Official communications, After Final communications labeled "Box AF"]

**571-273-8300** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

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JAMES A. REAGAN

Primary Examiner

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04 January 2005

